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SERVICE DATE - AUGUST 31, 2001

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

**AB-33(Sub-No. 182X)
Union Pacific Railroad Company**

**Discontinuance Exemption
In Weld and Boulder Counties, Colorado**

BACKGROUND

In this proceeding, Union Pacific Railroad Company (UP) filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with UP's discontinuance of service over its Boulder Industrial Lead from milepost 18.78 near station area Eagle Mine to milepost 31.0 near Valmont, a distance of 12.21 miles in Weld and Boulder Counties, CO. A map depicting the rail line in relationship to the area served is appended to the report.

UP states in its petition that, because this is a discontinuance, the entire line will remain intact, exclusive of the railroad grade separation over Interstate 25, in case potential future use should the need arise to serve the power plant at Valmont, CO.

DESCRIPTION OF THE LINE

UP states in its petition that the two shippers on the line have indicated that they will no longer need rail service in the future. Additionally, UP states that the State of Colorado is in the process of widening Interstate 25 and that the state supports the proposed discontinuance which would allow the dismantling of UP's grade separated bridge.

ENVIRONMENTAL REVIEW

UP submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the discontinuance or any post-discontinuance activities. Petitioners served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated and reviewed the record in this proceeding.

CONDITIONS

We recommend that the following environmental condition be placed on any decision granting abandonment authority:

The National Geodetic Survey (NGS) has identified one geodetic station marker that may be affected by the proposed discontinuance. Therefore, UP shall notify NGS at least 90 days prior to any salvage or demolition activities that may disturb or destroy this marker so that plans can be made for its relocation.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and subject to the recommended mitigation measure, discontinuance of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed discontinuance would include denial (and therefore no change in operations), and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Because this is a discontinuance, and UP intends to maintain the right-of-way intact, exclusive of the railroad grade separation over Interstate 25, the right-of-way may not be suitable for other public use. Therefore, a request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28), and which would normally need to be filed with the Board and served on the railroad within the time specified in the Federal Register notice may not be appropriate.

TRAILS USE

Similarly, a request for a notice of interim trail use (NITU) which would normally need to be filed at the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register, may not be appropriate because UP is requesting discontinuance only and all track material will remain intact.

Nevertheless, the Board of County Commissions for Boulder County has notified us that it is interested in working with UP and converting the right-of-way into a recreation trail.

PUBLIC ASSISTANCE

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB- 33 (Sub-No. 182X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Dana White at (202) 565-1552.

Date made available to the public: **August 31, 2001.**

Comment due date: September 28, 2001. (30 Days)

By the Board, Victoria J. Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

MAP NEEDS TO BE SCANNED.

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